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Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

JOCELYN CAPRICE PINEDA et al.,

Defendants.

Case No. 2:17-cr-00258-APG-GWF

STIPULATION FOR
PROTECTIVE ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and Richard Anthony Lopez, Assistant United States Attorney, counsel for the United States of America, James A. Oronoz, counsel for Defendant Jocelyn Caprice Pineda, Chris T. Rasmussen, counsel for Defendant Alan Rodriguez, and Raquel Lazo, Assistant Federal Public Defender, counsel for Defendant Jason Lee Roberts, that this Court issue this Protective Order, which (as outlined herein) protects from disclosure to the public any discovery documents containing personal identifying information (PII) of participants, witnesses, and victims.

1 In support of this Stipulation, the parties state and agree as follows:

2 1. Discovery in this case contains more than 2,000 pages of documents.
3 PII contained in the discovery includes but is not limited to social security numbers,
4 dates of birth, identification numbers, financial account numbers, and home
5 addresses. Documents containing PII are hereinafter referred to as Protected
6 Documents.

7 2. Protected Documents in this case include but are not limited to: (a) both
8 opened and unopened mail; (b) credit cards, debit cards, and other access devices as
9 defined by 18 U.S.C. § 1029(e)(1); (c) identification documents as defined by 18
10 U.S.C. § 1028(d)(3); and (d) notebooks containing PII.

11 3. Given the nature of the charges against the defendants and the fact
12 that the Government will use Protected Documents in its case in chief at any trial,
13 the defense team requires access to the Protected Documents. Because redacting all
14 PII from the discovery would prevent the timely disclosure of discovery to the
15 defendants, the parties agree to abide by the conditions in this Protective Order.

16 4. The Government will provide non-redacted Protected Documents in a
17 separate volume from discovery that does not contain PII. Any volumes of Protected
18 Documents will be clearly marked as subject to this Protective Order.

19 5. Access to Protected Documents will be restricted to attorneys of record
20 and their paralegals, investigators, experts, secretaries, file clerks, law clerks,
21 contractors, vendors, IT Department, and copy centers employed by the attorneys of
22 record or performing work on behalf of defendants, and any person authorized by the
23 Court (hereinafter referred to collectively as Authorized Persons).

1 6. The defendants in this case are not Authorized Persons.

2 7. Unless ordered by the Court, an Authorized Person shall not:

3 a. make copies of any Protected Document (or permit copies to be
4 made) for any person who is not an Authorized Person;

5 b. allow any person who is not an Authorized Person to read any
6 Protected Document;

7 c. disclose any PII contained within a Protected Document to any
8 person who is not an Authorized Person; and

9 d. use any Protected Document for any purpose other than
10 preparing to prosecute or defend against the charges in the indictment or any further
11 superseding indictment arising out of this case.

12 8. Notwithstanding the restrictions in Paragraph 7 above, the defendants
13 may review Protected Documents with (and in the presence of) an Authorized
14 Person. However, Protected Documents (or any copies) shall not be left in the custody
15 of any defendant or detention facility. In addition, the defendants shall not record or
16 copy any PII contained within any Protected Document at any time.

17 9. A redacted copy of a Protected Document that the parties agree redacts
18 the PII contained therein is not subject to the restrictions in this Protective Order.

19 10. Any Authorized Person disclosing Protected Documents to another
20 Authorized Person pursuant to this Protective Order or any other Court Order must
21 notify them of the existence and terms of this Protective Order.

22 11. The restrictions herein shall not restrict the use or introduction of any
23 Protected Document as evidence during any hearing or trial of this matter. Any such

document must comply with the redaction requirements of Federal Rule of Criminal Procedure 49.1 and Local Rule IC 6-1.

12. Within a reasonable time after conclusion of this action (not to exceed 30 days after the last appeal is final), counsel for the defendants shall either: (a) return to the Government all copies of the Protected Documents in their possession (including copies in the possession of any Authorized Person affiliated with defense counsel); or (b) certify to the Government that they have destroyed all such copies.

DATED this 29th day of August, 2017.

Respectfully submitted,

STEVEN W. MYHRE
Acting United States Attorney

/s/ James A. Oronoz
JAMES A. ORONoz
Counsel for Defendant
Jocelyn Caprice Pineda


/s/ Richard Anthony Lopez
RICHARD ANTHONY LOPEZ
Assistant United States Attorney

/s/ Chris T. Rasmussen
CHRIS T. RASMUSSEN
Counsel for Defendant
Alan Rodriguez

/s/ Raquel Lazo
RAQUEL LAZO
Assistant Federal Public Defender
Counsel for Defendant
Jason Lee Roberts

ORDER

IT IS SO ORDERED this 30th day of August, 2017.


HONORABLE GEORGE W. FOLEY
UNITED STATES MAGISTRATE JUDGE